

1 MICHAEL J. DALEY, ESQ. (State Bar No.: 157699)

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8 Attorneys for Defendant/Cross-Complainant  
9 **ADELPHIA COMMUNICATIONS**  
10 **CORPORATION**, aka Century Mendocino Cable  
11 TV dba Adelphia Cable Communications

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

SIFA TUIAKI and LUPE TUIAKI,

Plaintiffs,

v.

PACIFIC GAS & ELECTRIC COMPANY;  
PAULEY CONSTRUCTION, INC.; TRAFFIC  
SOLUTIONS, INC.; ADELPHIA  
TELECOMMUNICATIONS CO., INC.; SBC  
TELECOMMUNICATIONS, INC.; MOBILE  
TOOL INTERNATIONAL, INC., dba TELSTA;  
COUNTY OF MENDOCINO; STATE OF  
CALIFORNIA; PACIFIC BELL TELEPHONE  
COMPANY; PACIFIC TELESIS GROUP; SBC  
OPERATIONS, INC.; and DOES 1 to 100,,

Defendants.

ADELPHIA COMMUNICATIONS  
CORPORATION, aka CENTURY  
MENDOCINO CABLE TV dba ADELPHIA  
CABLE COMMUNICATIONS,

Cross-Complainant,

v.

PAULEY CONSTRUCTION, INC., and ROES 1  
to 50, INCLUSIVE,

Cross-Defendants.

Case No.: CV 07-02257 CW

**DECLARATION OF MICHAEL J.  
DALEY IN SUPPORT OF MOTION TO  
TRANSFER VENUE PURSUANT TO 28  
U.S.C. SECTION 1412 TO THE UNITED  
STATES DISTRICT COURT,  
SOUTHERN DISTRICT OF NEW YORK  
BANKRUPTCY COURT**

DATE: July 26, 2007  
TIME: 2:00 p.m.  
COURTROOM: 2  
1301 Clay St., 4<sup>th</sup> Fl.  
Oakland, CA 94612

1 I, MICHAEL J. DALEY, declare:

2 1. I am an attorney at law duly admitted to practice before all of the courts in the State of  
3 California and the United States District Court, Eastern District of California, and am a shareholder in  
4 the law firm of RYAN & LIFTER. I make this declaration in support of defendant/cross-complainant  
5 ADELPHIA COMMUNICATIONS CORPORATION, aka Century Mendocino Cable TV dba  
6 Adelphia Cable Communications (hereinafter "ADELPHIA") opposition to PAULEY  
7 CONSTRUCTION, INC. (hereinafter "PAULEY") motion to remand to superior court.

8 2. Exhibit "A" is a true and correct copy plaintiffs' Amended Summons and First  
9 Amended Complaint in *Sifa Tuiaki, et al. v. Pacific Gas & Electric Co., et al.*, San Francisco Superior  
10 Court No. CGC-04-432476 filed September 5, 2003.

11 3. Exhibit "B" is a true and correct copy of the Proof of Service upon PAULEY  
12 CONSTRUCTION, INC. on September 10, 2003, and obtained from the Superior Court of the County  
13 of San Francisco.

14 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
15 true and correct. Executed this 7<sup>th</sup> day of June, 2007, in San Ramon, California.

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17 /s/ Michael J. Daley  
18 MICHAEL J. DALEY  
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